

Please type a plus (+) inside this box -

11-15-00

A

PTO/SB/29 (12/97)

Approved for use through 09/30/00. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 7032-073

Total Pages 90

First Named Inventor or Application Identifier

Edward J. Rozhon

Express Mail Label No. EL 501 635 471 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☒ Transmittal Form
Submit an original, and a duplicate for fee processing
[Total Pages 78]
2. ☒ Specification
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R&D
 - Reference to Microfiche Appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description of the Invention (including drawings, if filed)
 - Claim(s)
 - Abstract of the Disclosure
3. ☒ Drawing(s) (35 USC 113)
[Total Sheets 9]
4. ☒ Oath or Declaration
[Total Sheets 4]
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63(d)) Serial No. 09/066,989
filed April 23, 1998
(for continuation/divisional with Box 17 completed)
[Note Box 5 below]
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33 (b).
5. ☒ Incorporation By Reference (useable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. ☐ Microfiche Computer Program (Appendix)
7. ☐ Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. ☐ Computer Readable Copy
 - b. ☐ Paper Copy (identical to computer copy)
 - c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

8. ☐ Assignment Papers (cover sheet & document(s))
9. ☐ 37 CFR 3.73(b) Statement of Power of Attorney
(when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☒ Information Disclosure Statement (IDS)/PTO-1449
☐ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
14. ☐ Small Entity Statement filed in prior application,
Statement(s) Status still proper and desired
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Other:

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:
☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: 09/066,989 filed April 23, 1998.

18. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label 20583
(Insert Customer No. or Attach bar code label here) or ☐ Correspondence address below

NAME				
ADDRESS				
CITY	STATE	ZIP CODE		
COUNTRY	TELEPHONE	FAX		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEPrior application: Examiner I. MarxArt Unit 1651

Assistant Commissioner for Patents
 Box PATENT APPLICATION
 Washington, D.C. 20231

Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR § 1.53(b), of pending prior application No. 09/066,989 filed on April 23, 1998.

of Edward J. Rozhon; Akram Sabouni; Atul S. Khandwala; Gul P. Balwani; Jody Wai-Han Chan; and David F. Sesin
 (inventor(s) currently of record in prior application)

for ENTERIC FORMULATIONS OF PROANTHOCYANIDIN POLYMER ANTIDIARRHEAL COMPOSITIONS
 (title of invention)

1. ☐ The filing fee is calculated below:

PATENT APPLICATION FEE VALUE

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims		-20	0	\$18.00 each	\$ 0.00
Independent		-3	0	\$80.00 each	\$ 0.00
Basic Fee					\$ 0.00
Multiple Dependency Fee If Applicable (\$270.00)					\$ 0.00
Total					\$ 0.00
50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern					- \$ 0.00
Total Filing Fee					\$ 0.00

2. ☐ Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.
3. ☒ Amend the specification by deleting lines 4-6 and inserting before the first line the following sentence: This is a continuation of application No. 09/066,989, filed April 23, 1998, which is a continuation-in-part of application No. 08/730,772, filed October 16, 1996, both of which are incorporated by reference herein in their entireties.
- 4a. ☐ Transfer the drawings from the prior application to this application and abandon the prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.

- 4b. ☐ New formal drawings are enclosed.
- 4c. ☒ Informal drawings are enclosed.
- 5a. ☐ Priority of application No. filed on in is claimed under 35 U.S.C. §119.
- 5b. ☐ The certified copy has been filed in prior application No. , filed .
- 6. ☒ The prior application is assigned of record to Shaman Pharmaceuticals, Inc. and was recorded at Reel 10194, Frame 0568 on August 25, 1999 and Reel 10489, Frame 0941 on January 11, 2000.
- 7a. ☒ The Power of Attorney appears in the original papers in the prior application No. 09/066,989, filed April 23, 1998. A copy of the Declaration and Power of Attorney is enclosed from application No. 09/066,989, filed April 23, 1998.
- 7b. ☐ Since the Power of Attorney does not appear in the original papers, a copy of the Power in prior application No. , filed is enclosed.
- 8. ☐ This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application No., filed on be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application No. is enclosed.
- 9. ☐ The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from application No. is the same as the content of the computer readable form submitted in application No. .
- 10. ☒ Additional enclosures or instructions: Information Disclosure Statement and List of References Cited (copies of the cited references are available in parent application Serial No. 09/066,989, filed April 23, 1998 and application Serial No. 08/730,772, filed October 16, 1996, of which the parent application is a continuation-in-part application).

Respectfully submitted,

Date November 14, 2000

Geraldine F. Baldwin 31,232
 Geraldine F. Baldwin (Reg. No.)
 PENNIE & EDMONDS LLP
 1155 Avenue of the Americas
 New York, N.Y. 10036-2711
 (212) 790-9090

by Margaret B. Porizavlan
 Reg No. 40,922